

**NOTICE OF APPEAL
FROM THE EXAMINER TO THE BOARD OF PATENT
APPEALS AND INTERFERENCES**

Docket Number (Optional)
11333-38

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this correspondence is being filed electronically with the U.S. Patent and Trademark Office on the below date:

Date December 16, 2010

Signature: /Jasper W. Dockrey/

Typed or printed Name Jasper W. Dockrey, Reg. No. 33,868

In re Application of: Yasuyuki Kawashima

Application No.

10/821,732

Filed

April 8, 2004

For METHODS FOR MEASURING BACTERIA, BACTERIA MEASURING APPARATUSES, AND STORAGE MEDIA FOR STORING COMPUTER-EXECUTABLE PROGRAMS FOR ANALYZING BACTERIA

Art Unit

1657

Confirmation No.

1524

Examiner

Kailash C. Srivastava

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$540.00

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 23-1925.

☒ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the:

☐ Applicant/Inventor.

/Jasper W. Dockrey/

Signature

☐ Assignee of record of the entire interest. See 37 CFR 3.71. Certificate under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

Jasper W. Dockrey

Typed or Printed Name

☒ Attorney or agent of record. Registration No. 33,868.

☐ Attorney or agent acting under 37 CFR 1.34. Registration No. if acting under 37 CFR 1.34, .

December 16, 2010

Date

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of form is submitted.